

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

LOL FINANCE COMPANY,

Plaintiff,

vs.

**ROBERT P. JOHNSON and KERI J.
MALOLEY, Individually and d/b/a PAUL
JOHNSON & SONS CATTLE CO., INC.,
JOHN DOE, ABC COMPANY, and FIRST
NATIONAL BANK OF OMAHA,**

Defendants

**PAUL JOHNSON & SONS CATTLE CO.,
INC.,**

Third-Party Plaintiff,

vs.

**MAVERICK FEEDERS, INC., a South
Dakota corporation, SHON SAWYER and
JULIE SAWYER, husband and wife,**

Third-Party Defendants.

NO. 09-CV-3224

Judge Kopf

**STIPULATION REGARDING
FIRST NATIONAL BANK OF
OMAHA’S MOTION OR
SUGGESTION TO DISMISS
PURPORTED CROSS-CLAIM FOR
LACK OF SUBJECT MATTER
JURISDICTION OR, IN THE
ALTERNATIVE, FOR LEAVE TO
FILE ANSWER**

First National Bank of Omaha (“FNBO”) and Maverick Feeders, Inc., by and through their respective counsel, stipulate that within two business days after approval of this Stipulation by the Court, FNBO:

1. Will withdraw its Motion Or Suggestion To Dismiss Purported Cross-Claim For Lack Of Subject Matter Jurisdiction Or In The Alternative For Leave To File Answer (Filing No. 136 hereinafter referred to as “the Motion”); and

2. May file the Answer to Cross-Claim which was attached to the Motion.

Dated this 20th day of September, 2010.

First National Bank of Omaha, Defendant,

By: /s/Thomas O. Kelley
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Maverick Feeders, Inc., Cross-Claimant,

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Attorney for Maverick Feeders, Inc., Shon
Sawyer and Julie Sawyer

CERTIFICATE OF SERVICE

I certify that on the 20th day of September, 2010, I electronically filed the foregoing document with the clerk of the court by using the CM/ECF system, which will send a notice of electronic filing to the following:

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